PTO/SB/06 (08-03)

Approved for use through 7/31/2006, OMB 0651-0032 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of Information unless it displays a valid OMB control number. PATENT APPLICATION FEE DETERMINATION RECORD Application Substitute for Form PTO-875 CLAIMS AS FILED - PART I OTHER THAN OR SMALL ENTITY SMALL ENTITY (Column 1) (Column 2) FOR NUMBER FILED NUMBER EXTRA RATE FEE RATE FEE BASIC FEE (37 CFR 1.16(a)) OB TOTAL CLAIMS (37 CFR 1.16(c)) minus 20 = OR INDEPENDENT CLAIMS (37 CFR 1.16(b)) minus 3 = X \$ OR MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(d)) OR * If the difference in column 1 is less than zero, enter "0" in column 2. TOTAL OR TOTAL CLAIMS AS AMENDED - PART II OTHER THAN OR (Column 2) (Column 3) (Column 1) SMALL ENTITY SMALL ENTITY CLAIMS HIGHEST REMAINING PRESENT NUMBER RA1 RATE ADDI-R **AFTER** PREVIOUSLY **EXTRA** TIONAL TIONAL AMENDMENT PAID FOR FEE FEE i vial (37 CFR 1.16(c)) X \$ OR Independent (37 CFR 1.16(b)) Minus OR X \$ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d)) OR TOTAL TOTAL OR ADD'L FEE ADD'L FEE (Column 1) (Column 2) (Column 3) CLAIMS HIGHEST REMAINING NUMBER PRESENT RATE ADDI-RATE ADDI-**AFTER** PREVIOUSLY **EXTRA** TIONAL TIONAL AMENDMENT PAID FOR FEE FFF Total (37 CFR 1.15(c)) Minus ENDMI = OR Independent (37 CFR 1.16(b)) Minus = = OR ¥ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d)) OR TOTAL TOTAL ADD'L FEE OR ADD'L FEE (Column 1) (Column 2) (Column 3) **CLAIMS** HIGHEST O REMAINING PRESENT RATE NUMBER ADDI-RATE ADDI-ENT AFTER AMENDMENT **PREVIOUSLY** EXTRA TIONAL TIONAL PAID FOR FEE FEE Total (37 CFR 1.16(c)) Minus OR X \$ Minus X \$ X \$ OR ¥ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d)) OR TOTAL TOTAL ADD'L FEE OR ADD'L FEE If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
 If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20". "If the "Highest Number Previously Pald For" IN THIS SPACE is less than 3, enter "3". The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

This collection of information is required by 37 CFR 1.16. The Information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentially is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete. Including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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MAR 0 6 2006

Patent 10/785,394

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Steven A. Yon

Serial No.:

10/785,394

Filed:

V.

February 24, 2004

fitle:

System and Method for Inducing Hypothermia with Control and Determination of

Catheter Pressure

Art Unit:

3739

Examiner:

Roy Dean Gibson

Docket No.:

137001

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

AMENDMENT

Sir:

In response to the Office Action dated September 7, 2005, the time for response extended up to and including March 7, 2006, kindly amend the above-identified application as follows. In addition, any deficiencies may be charged to deposit account No. 50-1047.

Certificate of Facsimile Transmission

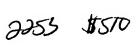
I hereby certify that this document and any document referenced herein has been transmitted via facsimile to the US Patent and Trademark Office at (571) 273-8300 on March 6, 2006.

Karin L. Williams, Reg. No. 36,721 (Printed Name of Person Mailing Correspondence)

(Signature)

-1-

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fluid passes through the slits (158, 156, 150) through the windows (154, 152, 148) and into the outflow lumen 132" (col. 26, lines 34-42). Applicant submits that blood would *not* flow between the "outer lumens 108, 110 and 112" and the "inner lumen 114" of <u>Dae's</u> device and induce turbulence in a free steam of blood based on such flow.

For at least the foregoing reason, each of independent Claims 1 and 16, as amended herein, is believed patentable over Dac and the remaining the art of record.

Dependent Claims 2-15 and 17-30 are believed to be clearly patentable for all of the reasons indicated above with respect to Claims 1 and 16, one or the other from which they depend, and even further distinguish over the cited references by reciting additional limitations.

It is respectfully submitted that all pending claims are now in condition for allowance and prompt review and issuance is accordingly requested. Should the Examiner be of the view that an interview would expedite consideration of this Amendment or of the application at large, request is made that the Examiner telephone the Applicants' undersigned attorney at (908) 518-7700 in order that any outstanding issues may be resolved.

Respectfully submitted,

Karin L. Williams; Registration No 36,721

Please Send All Correspondence to:

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